C.S. 300/1

Division Bench (1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. No. 3443 /2005

P.I.L.

PETITIONERS:

1. Youth Foundation of India (An Association registered under the Chhattisgarh Societies Registrikaran Adhiniyam, 1973, Rajnandgaon, through its General Secretary Shri S.K. Gandhi aged about 42 years, (Chhattisgarh C/O Chhattisgarh Dental College and Research Institute P.B. No. 25 Sundra, Rajnandgaon,(Chhattisgarh) 491441

2. Nidhi Nahta
Aged about 18 years
D/O Shri Gulabchand Nahta
R/O New Civil Line,
District Rajnandgaon (Chhattisgarh)

3. Vishwjit Dilliwar
Aged about 22 years
S/O Shri Lilar Singh Dilliwar
R/O Village Bhedi Post Daundi Lohara, Tehsil Daundi Lohara
District Durg (Chhattisgarh)

P.N. No. 3476/05
Presented by Shri Manish Sodhiya
dated 22/7/05

शपथ आयुक्त
बिलासपुर (छ.ग.)
बिलासपुर तहसील कोर्ट

22.7.05
THAKUR VIJAY SINGH
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

VERSUS

RESPONDENTS:

1. Union of India
Through the Secretary Ministry of Health and Family Welfare (Department of Health) PMS Section Nirman Bhawan, Maulana Azad Road, New Delhi-110011

RECEIVED COPY
22.7.05
CLERK TO A.G. BILASPUR

(2)

2. Dental Council of India
(constituted under the Dentist Act, 1948) Aiwan-a-Galib Marg Kotla Road, New Delhi-110002

3. State of Chhattisgarh
Through the Secretary Department of Health and Family Welfare D.K.S. Bhawan, Mantralaya Raipur (Chhattisgarh)

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:-

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P. 3443... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Division Bench:
Hon. Shri A.K. Patnaik CJ and
Hon. Shri Dhirendra Mishra,J.

18.8.2005:

Heard Mr. Kanak Tiwari, learned Sr. Advocate with Mr. Rahul Jha, learned counsel for the petitioners, Mr. Gautam Bhadhuri, learned Central Government counsel for respondent No. 1/ Union of India, Mr. R. Pradhan, learned counsel for respondent No. 2/Dental Council of India and Mr. Sanjay S. Agrawal, learned G.A. for the respondent No. 3/State of Chhattisgarh.

The petitioners have filed this writ petition under Article 226 of the Constitution of India as P.I.L. for issuance of writ of mandamus to respondent No. 1 (Union of India) to grant permission for the 04th year B.D.S. course with an annual intake capacity of 100 students at C. G. Dental College & Research Institute, Rajnandgaon for academic year 2005-06.

A copy of the letter dated 17th August 2005 issued by the Government of India, Ministry of Health & Family Welfare (Department of Health) to the Secretary of petitioner No. 1, Society, has been produced before us which is to the following effect:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक W.P. 3443 **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No. V. 12017/21/2001-PMS
Government of India
Ministry of Health & Family Welfare
(Department of India)

Nirman Bhavan, New Delhi-110011
Dated the 17th August 2005.

To,

The Secretary
Youth Foundation of India
Khandelwal Complex, Kamptee Line,
Post Box No. 25,
Rajnandgaon (C.G.) 491441

Sub: Renewal of Central Government Permission for 4th year with an annual intake capacity of 100 Students in BDS Course at Chhattisgarh Dental College and Research Institute, Rajnandgaon for the academic session 2005-06.

Sir,

In continuation to this Ministry's letter of even number dated 23.08.2004 on the above subject and in pursuance of Supreme Court's directions in the matter of renewal of Permission for Medical/Dental seats for the year 2005-2006, I am directed to convey the approval of the Central Government to renew its permission for 4th year BDS Course with an annual admission capacity of 100 students in Chhattisgarh Dental College and Research Institute, Rajnandgaon, for the academic session 2005-2006.

2. This permission is valid for one year and for admitting only one batch of students during the academic session 2005-06. Further, the admissions should be made strictly in accordance with the guidelines

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ..... W.P. 3443 ..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 5	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

issued by the Government of India on 14.05.2003 in pursuance of the orders of the Hon'ble Supreme court of India in Madhu Singh Case.

3. The next batch of students will be admitted in the College only after recognition of BDS Degree of the subject dental college.

4. The admissions made in violation of the above conditions will be treated as irregular and action under section 10 B of the Dentists (Amendment) Act, 1993 will be initiated.

Yours faithfully,

(Aastha S. Khatwani)
Director (ME)

It will be clear from the aforesaid copy of the letter dated 17th August 2005 that the Central Government has now renewed the permission for 4th year with an annual intake capacity of 100 Students in BDS Course at Chhattisgarh Dental College and Research Institute, Rajnandgaon for the academic session 2005-06, subject to the conditions mentioned therein.

This writ petition, therefore, stands disposed of.

Sd/-
Chief Justice
Judge

Sd/-
Dhirendra Mishra
Judge